

# Habitats Regulations Assessment



## Belmont Rural Neighbourhood Area

Addendum

March 2016

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## **1.0 Introduction**

- 1.1 To ensure that the requirements of the Habitats Directive and Regulations are met, it is necessary to consider the modifications through the HRA process to the Belmont Rural NDP; the NDP was refined by the NDP steering group to reflect feedback from consultation on the Draft Plan and Draft Habitat Regulations Assessment (HRA) Report, refer to Appendix 2.
- 1.2 The purpose of this further HRA Addendum Report is to detail the findings of the screening of proposed changes to policies and consider if they significantly affect the conclusions of the earlier HRA Reports (January 2015 and Addendum February 2015).
- 1.3 The refinements are not considered to significantly affect the conclusions of the earlier HRA reports. The Addendum (February 2015) updated the position to highlight that Policy 3 did now reflect that there are no likely significant effect on the River Wye SAC. The changes made following the consultation specifically strengthen the policies in terms of protecting the River Wye SAC.

## **2.0 Screening of proposed modifications to the NDP**

- 2.1 Regulation 102 of the Habitats Regulations 2010 requires that a Screening Assessment be undertaken, in order to identify the 'likely significant effects' of a NDP. Accordingly, a screening matrix was prepared (January 2015 and Updated policy 3 in Addendum February 2015) and this determined the extent to which any of the policies in the Belmont Rural NDP would be likely to have a significant effect on the River Wye SAC.
- 2.2 The findings of the screening matrix can be found in Appendices 1 and 2 of the HRA January 2015 report and within Appendix 1 of the Addendum February 2015.
- 2.3 The screening matrix took the approach of screening each option, policy and objective individually, which is consistent with current guidance. The results from the HRA reports for the Herefordshire Local Plan (Core Strategy) were also taken into consideration.
- 2.4 None of the Belmont Rural NDP objectives and policies (February 2015) were concluded to be likely to have a significant effect on the European site. This conclusion is based on assumptions and information contained within the Belmont Rural NDP, the Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy) published on the Council's website.
- 2.5 In many cases this is because the policies themselves would not result in development, i.e. they related instead to criteria for development. In several cases the policies also included measures to help support the natural environment including biodiversity, and therefore no significant effect conclusion could be reached. These policies have the potential to mitigate some of the possible adverse effects arising from other policies within the NDP.
- 2.6 It was also concluded that the Belmont Rural NDP will unlikely have any in-combination effects with any plans from neighbouring parishes, as any sites currently allocated in the adjacent parishes' NDP is within the parameters set out within the Herefordshire Local Plan (Core Strategy).
- 2.7 Therefore it was concluded that the Belmont Rural NDP will not have a likely significant effect on the River Wye SAC.
- 2.8 The proposed amendments to the Draft NDP following the Regulation 14 consultation are screened to consider if they are likely to significantly affect the findings of the previous HRA Report, prepared in January 2015 and February 2015. A summary of the main findings is provided below.

## **3.0 Summary of main findings**

- 3.1 The Submission NDP incorporates suggestions made by consultees during the Regulation 14 Draft Plan consultation, by adding clarity and emphasis throughout the document. There

have been some additions to the criteria in some of the policies which are strengthening up the protection of the SAC and Local Wildlife sites.

- 3.2 During the Regulation 14 consultation Natural England made specific reference to the HRA reports, apart from the conclusion of Policy 3 in the Addendum they disagreed with the conclusions of the January 2015 report to state that there would be no likely significant effect. With regards to policies 4, 5 and 7 they suggested that an additional criterion should be included within the policies, '*development can only proceed where any likely significant effect on the River Wye SAC can be avoided or mitigated*'.
- 3.3 Within the amended Belmont Rural NDP, March 2016, this criterion has been included in the above mentioned policies, as well as policy 3. In addition, further detail in policy 3 has demonstrated what the 'sustainable use' is. This includes housing and B1 employment within the area of the former Golf Course buildings, through conversion with limited extension / alterations, and leisure. The policy also acknowledges the various constraints that surround the site limiting the development available; therefore it will only be small scale development.
- 3.4 The re-screening of the amended policies found that the additional criterion and information demonstrated that the policies would not have a significant effect on the SAC.
- 3.4 The revised NDP policies are therefore unlikely to result in significant effects on the European sites, a conclusion of which is based on assumptions and information contained within the Belmont Rural NDP, the Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy).

#### 4.0 Conclusion

- 4.1 With reference to section 3 above, the additional criteria and information added to Policies 1, 2, 3, 4, 5 and 7, are not considered to have a significant effect on the SAC. On the contrary; they strengthen the likelihood of there being no adverse impacts.
- 4.2 Therefore the conclusion that the **Belmont Rural NDP will not have a likely significant effect on the River Wye SAC** remains valid.

#### 5.0 Next steps

- 5.1 This Addendum Report will be published alongside both the Submission NDP and earlier HRA Report for consultation. Any changes to the plan that arise from this consultation will be subject to further screening, in order to consider their impact on the River Wye SAC.

# Appendix 1

**Table 2: HRA Re-Screening of Emerging Redrafted Neighbourhood Development Plan Options**

**Parish Council Name:** Belmont Rural

**Date undertaken:** March 2016

NDP Redrafted options	HRA Re-Screening Assessment of Emerging redrafted NDP options and policies				
	Likely activities (operations) to result as a consequence of the redrafted objective/option/policy	Likely effect if redrafted option/policy implemented. Could they have LSE on European Sites? (Yes/No, with reasons)  <i>(If no, progress onto next redrafted objective/option/policy. If yes, progress onto next set of columns in row)</i>	European Sites potentially affected  (Refer to Initial Screening)	Mitigation measures to be considered to avoid any impacts	If recommendations are implemented, would it be possible that it would result in no likely significant effect? (Yes/No with reasons)
<b>Option</b> Have an open space policy	Protection of open spaces and green spaces within the parish	N/A	N/A	N/A	N/A
<b>Option</b> Have a policy on Community Facilities	New community buildings and facilities	Will be of a limited scale therefore unlikely to have a significant impact upon the SAC	River Wye (including River Lugg) SAC	Criteria based policies would require reference to mitigation measures for any community development.	Yes, criteria based policies within the NDP and the Core Strategy will help to mitigate against an adverse effect.
<b>Option</b> Have a policy on Supporting businesses	Small scale employment growth within the parish	Greater degree of certainty over the impact of future development on the European sites, as	River Wye (including the River Lugg) SAC	Specific environmental issues could be investigated during the site search and be	Yes, development in line with the Local Plan (Core Strategy) and the policy

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		<p>the location of employment development would be pre-determined</p>		<p>positively addressed within the policy wording.</p>	<p>safeguards which exist within the Core Strategy should avoid or mitigate any likely significant effects.</p> <p>Policy criteria should be included within the NDP which reflects this.</p>
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Redrafted Policy	HRA Re-Screening Assessment of Emerging redrafted NDP policies				
	Likely activities (operations) to result as a consequence of the redrafted policy	Likely effect if redrafted policy implemented. Could they have LSE on European Sites?	European Sites potentially affected	Mitigation measures to be considered to avoid any impacts	If recommendations are implemented, would it be possible that it would result in likely significant effects?
Policy 1	Policy to offer a greater degree of protection to the specific open spaces and Local Green Spaces.	N/A	N/A	N/A	No, this policy will not lead to new development; rather it specifically aims to resist any development proposed on the open spaces and Local Green Spaces identified. As such this policy could help to provide mitigation against the potential of other NDP policies.
Policy 2	Continued use of Home Farm as recreational space/buffer land between the existing edge of built development and Belmont Abbey.	N/A	N/A	N/A	No, this policy would not result in development; rather it seeks to preserve the existing use of the land at Home Farm and encourage measures to enrich its biodiversity offer, and protect the setting of key heritage assets.
Policy 3	Redevelopment of Belmont Golf Club and course for housing and B1 use at the existing buildings (conversion with limited extension / alterations) and leisure use within the golf course.  Small-scale housing development	All potential uses could result in a rise in vehicular movements and demand for water abstraction and treatment.	River Wye SAC	The policy is clear that future proposals for this site should be well connected, appropriately designed and respect the River Wye SAC. In addition, Policy LD2 of the Local Plan (Core Strategy) will provide a certain degree of protection against inappropriate uses and the policy would appear to infer that applicants should demonstrate that their schemes have been worked up in collaboration with the relevant statutory bodies/stakeholders.	No, the mitigation measures mentioned would help to prevent any significant effects, by providing the policy justification for refusing the grant of planning permission for inappropriate forms of use of the site and its buildings.
Policy 4	Encourage and enhance the use of community facilities, as well as facilitating new provision.	New community facilities.  Possible vehicular movements and demand for water abstraction and treatment.	River Wye SAC	The policy has a new criterion stating that development can only occur if any likely significant effect on the River Wye can be avoided or mitigated.  Policy LD2 of the Local Plan (Core Strategy) will aim to help avoid any adverse impacts on the River Wye for new community uses.  Measures within Policy SD1 of the Local Plan (Core Strategy) should help to mitigate potential impacts relating to non-physical disturbances.  The implementation of Policies SD3 and SD4 within the Local Plan (Core	No, although this policy could result in the development of new community facilities or the loss of existing provision to new uses. However, sufficient policy safeguards are in place within the NDP and the Local Plan (Core Strategy) to avoid or mitigate any likely significant effects on the River Wye.



				Strategy) should also help to avoid any adverse impacts in relation to the hydrological regimes at the River Wye. Water Quality in the River Wye is also being specifically addressed through the Nutrient Management Plan.	
Policy 5	<p>Policy to support the delivery of proportional growth.</p> <p>Small-scale housing</p>	<p>Infill housing and associated infrastructure development.</p> <p>Possible increase in recreation activities, vehicular movements and demand for water abstraction and treatment.</p> <p>Uncertain as to the impacts upon the River Wye SAC dependent on the location of development, however the policy would result in small scale growth.</p>	River Wye SAC	<p>The policy has a new criterion stating that development can only occur if any likely significant effect on the River Wye can be avoided or mitigated.</p> <p>Measures set within the Local Plan (Core Strategy) should help to avoid adverse impacts upon the European site.</p> <p>Improved water efficiency measures, metering and addressing leakages in supply may help to mitigate any additional pressure placed on the water supply as a result of new developments.</p> <p>The implementation of the Core Strategy policies SD3 and SD4 should help to avoid adverse impacts in relation to hydrological regimes at the River Wye. Water quality in the River Wye SAC is also specifically addressed through the Nutrient Management Plan produced by Natural England and the Environment Agency.</p>	No, this policy would allow for infill plots only and there are additional policy criteria in place in both the NDP and the Local Plan (Core Strategy) to avoid or mitigate any likely significant effects.
Policy 7	<p>Policy would support the provision of expansion of small and medium business premises.</p>	<p>Employment and infrastructure development.</p> <p>Possible vehicular movements and demand for water abstraction and treatment.</p>	River Wye SAC	<p>The policy has a new criterion stating that development can only occur if any likely significant effect on the River Wye can be avoided or mitigated.</p> <p>This policy should help to reduce the extent to which people need to travel to work by allowing incumbent businesses the opportunity to expand.</p> <p>Policy LD2 of the Local Plan (Core Strategy) will aim to help avoid any adverse impacts on the River Wye for new employment or businesses uses.</p> <p>Improved water efficiency measures, metering and addressing leakages in the supply may help to mitigate any additional pressures on the water supply as a result of new development.</p>	<p>No, this policy is seeking the development of further small scale businesses. This may have a positive effect on reducing the need to travel.</p> <p>There are policy safeguards within the NDP and the Local Plan (Core Strategy) policies that will help mitigate potential likely significant effects.</p>

				<p>Measures within Policy SD1 of the Local Plan (Core Strategy) should help to mitigate potential impacts relating to non-physical disturbances.</p> <p>The implementation of Policies SD3 and SD4 within the Local Plan (Core Strategy) should also help to avoid any adverse impacts in relation to the hydrological regimes at the River Wye. Water Quality in the River Wye is also being specifically addressed through the Nutrient Management Plan.</p>	
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# Appendix 2

## Template 2: HRA Consultation Feedback

This consultation feedback is **only** for comments received on the HRA of the Neighbourhood Development Plan

**Parish Council Name:** Belmont Rural

**Details of consultation:** Regulation 14 Draft Plan Consultation

**Consultation date:** 9 February – 23 March 2015

<b>Response Date</b>	<b>Consultee</b>	<b>Summary of Comments</b>
25 March 2015	Natural England	<p>We note and welcome the recognition that an additional criterion is needed in within Policy 3: Belmont Golf Course. However, we disagree with the conclusion of the HRA, namely that Policy 3 only, requires amendment in order to be certain of avoiding likely significant effect on the River Wye Special Area of Conservation (SAC).</p> <p>Natural England agrees that amendments are needed to Policy 3. However, we disagree that the remaining policies within the NDP are sufficient to conclude no likely significant effect on the River Wye SAC (arising from development associated with Policies 4, 5 &amp;7). We have therefore suggested the addition of an additional criterion within these other policies to ensure that development can only proceed where <i>any likely significant effect on the River Wye SAC can be avoided or mitigated.</i></p>
19 March 2015	English Heritage	No substantive comments to make

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